

SUPERIOR COURT OF ARIZONA  
MARICOPA COUNTY

CV 2012-015474

11/05/2013

HONORABLE DOUGLAS GERLACH

CLERK OF THE COURT  
S. Wrye/R. Tomlinson  
Deputy

RECONTRUST COMPANY N A

PAUL M LEVINE

v.

ZAVIER KAY HAFIZ, et al.

JEFFREY B COHN

MINUTE ENTRY

East Court Building - Courtroom 513

Prior to commencement of the hearing, Plaintiff's exhibits 9-31 are marked for identification.

1:37 p.m. This is the time set for continuation of the Evidentiary Hearing from October 4, 2013, regarding Plaintiff Recontrust's Application for Temporary Restraining Order and Motion for Preliminary Injunction. Plaintiff is represented by counsel, Paul M. Levine. Defendant CTP Funding, LLC is represented by Jeffrey B. Cohn. No other parties appear.

A record of the proceedings is made by audio and/or videotape in lieu of a court reporter.

Discussion is held regarding legal matters and the subject *Lis Pendens*.

Counsel for Plaintiff invokes the Rule of Exclusion of witnesses.

Plaintiff's case:

SUPERIOR COURT OF ARIZONA  
MARICOPA COUNTY

CV 2012-015474

11/05/2013

Paul Butler is sworn and testifies.

Defendants' exhibits 32-41 are marked for identification.

A clerical error having been made while marking exhibits submitted during testimony, wherein 2 exhibits were inadvertently marked with the no. 32,

**IT IS ORDERED** designating one exhibit 32A and one exhibit 32B.

Defendants' exhibits \*32A, \*32B, 33-41 are received in evidence.

The witness is excused subject to recall.

2:47 p.m. Court is in recess.

2:53 p.m. Court reconvenes with respective counsel and parties present.

A record of the proceedings is made by audio and/or videotape in lieu of a court reporter.

Paul Attaway is sworn and testifies.

Plaintiff's exhibit 42 is marked for identification.

Plaintiff's exhibit 42 is received in evidence.

Plaintiff's exhibit 12 is received in evidence.

Plaintiff's exhibit 13 is received in evidence.

Plaintiff's exhibit 14 is received in evidence.

Plaintiff's exhibit 15 is received in evidence.

Plaintiff's exhibit 9 is received in evidence.

Plaintiff's exhibit 16 is received in evidence.

Plaintiff's exhibit 17 is received in evidence.

Plaintiff's exhibit 19 is received in evidence.

SUPERIOR COURT OF ARIZONA  
MARICOPA COUNTY

CV 2012-015474

11/05/2013

The witness is excused.

The Court having considered the evidence and for the reasons set forth on the record,

**IT IS ORDERED** denying Plaintiff's request for preliminary injunction.

4:10 p.m. Matter concludes.

LATER:

\* As indicated above, the clerk inadvertently marked two exhibits as no. 32; therefore, the exhibits were identified on the record as 32A and 32B. In keeping with Clerk of Court exhibit policy,

**IT IS ORDERED** splitting no. 32 in order to properly identify exhibit "32A" as exhibit 32 and exhibit "32B" as exhibit 32.001.

**IT IS FURTHER ORDERED** that counsel or written designee shall have thirty days from the date of this minute entry to take possession of the exhibits, that were not offered or received in evidence, from the courtroom clerk's office; thereafter, the Clerk is authorized to dispose of the exhibits.

FILED: Exhibit Worksheet

ALERT: The Arizona Supreme Court Administrative Order 2011-140 directs the Clerk's Office not to accept paper filings from attorneys in civil cases. Civil cases must still be initiated on paper; however, subsequent documents must be eFiled through AZTurboCourt unless an exception defined in the Administrative Order applies.